

Case 1:03-cr-00173-TH-WCR Document 179 Filed 07/16/04 Page 1 of 2 PageID #: 573

DATE July 16, 2004 CASE NUMBER USA John Stevens, Joe Batte Assigned  
LOCATION BEAUMONT DIVISION VS Patrick Black, Douglas Barlow Appeared  
JUDGE THAD HEARTFIELD  
DEPUTY CLERK Jill Veazey  
RPTR/ECRO Frank McMillan  
TAPE # \_\_\_\_\_  
USPO \_\_\_\_\_  
INTERPRETER \_\_\_\_\_  
BEGIN 10:42 Attorney \_\_\_\_\_

SHANNON WAYNE AGOFSKY  
Defendant  
Patrick Black, Douglas Barlow  
Attorney

SENTENCING

☒ ksen. . . . . Sentencing held ☐ ksen . . . Sentencing called  
☐ . . . . . Court adopts presentence report  
☐ . . . . . Court adopts presentence report w/exception of: \_\_\_\_\_  
☐ . . . . . Court departs from guidelines ☐ on motion of the govt ☐ other: \_\_\_\_\_

FILED  
A.M. July 16 20 04  
DAVID J. MALAND, CLERK  
U.S. DISTRICT COURT  
By BC DEPUTY

CT	CUSTODY	FINE	REST	PROB	SUP/REL	CC/CS	W/CT	SP/ASSESS
<u>1</u>	<u>Death penalty</u>							<u>\$100.00</u>
<u>2</u>	<u>Death penalty</u>							<u>\$100.00</u>
	<u>as imposed by jury verdict</u>							<u>T=200.00</u>

SPECIAL CONDITIONS:

- ☐ . . . . . Shall abide by **standard conditions** of release, to include committing no offenses; federal, state or local and shall not illegally possess a controlled substance.
- ☐ . . . . . Dft shall **report** in person to the probation office in the district to which the dft is released **within 72** hours of release from the custody of the Bureau of Prisons.
- ☐ . . . . . Dft shall not possess a **firearm** or other destructive device.
- ☐ . . . . . Dft shall provide the probation officer with access to any requested **financial information**.
- ☐ . . . . . Dft shall participate in a program of **testing and treatment for drug/alcohol abuse**, as directed by the probation officer, until such time as dft is released from the program by the probation officer.
- ☐ . . . . . Dft shall participate in a program of **mental health treatment**, as directed by the probation officer, until such time as dft is released from the program by the probation officer.
- ☐ . . . . . Dft shall perform \_\_\_\_\_ hours of **community service** as directed by the probation officer.
- ☐ . . . . . Dft placed on **home detention** for a period of \_\_\_\_\_ months, to commence (immediately/immediately following release from imprisonment/on \_\_\_\_\_). During this time dft shall remain at his/her place of residence except for employment and other activities approved in advance by the probation officer. Dft shall maintain a telephone at residence without any special services, modems, answering machines, or cordless telephones for the above period.
- ☐ . . . . . Dft shall reside in a **community corrections center** for a period of \_\_\_\_\_ months to commence on \_\_\_\_\_, and shall observe the rules and regulations of that facility.
- ☒ . . . . . Dft remanded to the USM. ☐ Denial of \_\_\_\_\_ Federal benefits for a period of \_\_\_\_\_ years ending \_\_\_\_\_.
- ☐ . . . . . Dft ordered to surrender \_\_\_\_\_ to ☐ USM ☐ designated institution.
- ☐ kbnd. . . . . Dfts ☐ set ☐ reduced to \$ \_\_\_\_\_ ☐ cash ☐ surety ☐ 10 % ☐ PR ☐ unsecured. ☐ kocondrls.
- ☐ . . . . . Bond continued ☐ previous bond in this case \$ \_\_\_\_\_ type \_\_\_\_\_ ☐ other case No. \_\_\_\_\_
- ☒ kdismcntgv. Counts 1-2 indict. dismissed on govt's motion. ☐ kdismcntoth. \_\_\_\_\_
- ☐ . . . . . Dft failed to appear ☐ Koralo.. Order for arrest warrant ☐ bond forfeited.
- ☒ . . . . . Dft advised of right to appeal plea and/or sentence, and apply for court appointed counsel.
- ☐ kpsi. . . . . Presentence Report Sealed. ☐ P.S.I. (Sentencing Portion Only) Sealed. ☒ kminf.... Minutes filed.

CASE NO. 1:03cr230-1 USA vs. Toni Elaine Patterson Page 2

ADDITIONAL PROCEEDINGS:

10:42 Court begins Sentencing hearing. Court addresses parties. 10:45 Mr. Black addresses court. Mr. Black request that the govt be required to elect between Counts 1 and 2. Mr. Stevens responds. 10:46 Court enters judgment. Govt and Deft motions to replace large exhibits with paper size. Court grants motion. Court advises deft that he has a right to appeal. 10:51 Mr. Black states motion to extend time to file a motion for a new trial. Court will grant motion for extension of time. 10:52 Court adjourned.